

2/3/05

King County Policies and Procedures
for
Siting and Permitting Emergency Temporary Homeless Encampments

These policies and procedures apply to emergency, temporary, homeless encampments on county owned land and in unincorporated areas.

Definitions

Managing agency: An organization that has the capacity to organize and manage an emergency, temporary, homeless encampment.

Local sponsoring organization: Local church or other local, community-based organization that has an agreement with the managing agency to host and/or provide basic services and support for the residents of an emergency temporary homeless encampment and liaison with the surrounding community and joins with the managing agency in an application for a city or county permit (or other relevant process as may be required by the individual jurisdiction).

Host: Owner of site property. This may be the same entity as the local sponsoring organization.

County land: For the purpose of siting Emergency Homeless Encampments, public land is all land owned by King County excluding park land.

Private land: All other land.

Temporary Use Permit: Land use permit for unincorporated King County. Refer to King County Code 21A.32.

Special Use Permit: Permit for use of county land. Refer to King County Code 14.30.

Policies and Procedures

A. Site Selection

1. Temporary emergency homeless encampments may be located on private land sites in unincorporated King County where such sites have been granted a temporary use permit in adherence with these policies and procedures.
2. No temporary emergency encampments shall be set up on any land designated as a King County park.
3. For a period of one year after the adoption of these policies, no county land may be used as a site for a emergency temporary homeless encampments. After the one year period, county land may be considered for such use if and when suitable parcels are identified based on both the feasibility of meeting the terms and conditions included in these policies and procedures and the lack of restrictions or conflict with existing or planned use of these lands. Sites designated as suitable

in this manner may be used when granted a special use permit with conditions in adherence to these policies and procedures.

4. For each proposed site requiring a county permit, the managing agency shall secure an agreement in writing with a local sponsoring organization, to provide or coordinate basic services and support for temporary emergency homeless encampment residents and to join with the managing agency in all applications for relevant permits.
5. A managing agency wanting to site an emergency temporary homeless encampment on private land in unincorporated King County shall apply jointly with a local sponsoring organization for a temporary use permit from the King County Department of Development and Environmental Services at least thirty days in advance of the desired date to commence such use.
6. A managing agency wanting to site an emergency temporary homeless encampment on county land designated as a suitable parcel for such purposes in accord with Policy A.2. above shall apply jointly with a local sponsoring organization for a special use permit from the King County Real Estate Services Section.
7. A special or temporary use permit for any emergency temporary homeless encampment shall be deemed to be for a use having mutual and offsetting benefit to King County and/or for the low income. County permit fees shall, therefore, be waived.
8. If any sponsoring organization is not the owner of the site property, it must secure an agreement in writing to sponsor the emergency temporary homeless encampment with the property owner who will be host.
9. Conditions included in a special use permit for any emergency temporary emergency homeless encampment on county land located in a separate jurisdiction shall make such permit subject to the land use permit process of that jurisdiction as required by law.
10. The managing agency and sponsoring organization shall promptly notify the appropriate local government department(s) responsible for land use of the agreement, including cities containing or contiguous to the temporary emergency homeless encampment site immediately after a site is identified. Seattle-King County Department of Public Health, Healthcare for the Homeless Program, shall also be promptly notified.
11. It is the intent of the county to encourage the managing agency to plan ahead for sites for temporary homeless encampments and to disperse these sites geographically, over time so that no one community or area of the county is unduly impacted.

B. County Policies for Temporary Emergency Homeless Encampments

1. The maximum number of residents at an encampment site shall be determined taking into consideration site conditions, but in no case shall be greater than 90 at any one time for the duration of 2005 and shall be no greater than 75 residents from 2006 forward. For 2006 and beyond, approval for up to 90 residents may be granted for applicants proposing multiple sites or providing a written agreement with a landowner for an additional future site. .
2. The duration of a temporary emergency homeless encampment at any specific location shall not exceed ninety days at any one time, including setup and dismantling of the encampment, during 2005 and shall not exceed 60 days, including setup and dismantling of the encampment, in 2006 and beyond. For 2006 and beyond, approval for up to 90 days may be granted for applicants proposing multiple sites or providing a written agreement with a landowner for an additional future site.
3. A temporary homeless encampment may be located at the same site no more than once every 24 months.
4. The space for a an encampment site must be sufficient to accommodate tents and necessary on-site facilities, sanitary portable toilets in the number required to meet capacity guidelines, hand washing stations by the toilets and by the food area, refuse receptacles, food tent and security tent.
5. The encampment must be within a quarter mile of a bus stop with seven day per week bus service available, or the sponsor must demonstrate ability for residents to obtain access to the nearest public transportation stop.
6. The encampment site must provide suitable buffers from surrounding properties:
 - a. A minimum 20 foot setback in each direction from the boundary of the lot on which the encampment is located, excluding access, and either:
 - b. Established vegetation sufficiently dense to obscure view; or
 - c. A six foot high, view-obscuring fabric fence.
7. Conditions included in a special use permit for any emergency temporary homeless encampment must consider impacts to on-street and on-site parking.
 - a. On-street parking: The availability of on-street parking will be considered in selecting encampment sites if the encampment would displace on-site parking normally utilized by the host or surrounding neighborhood. The sponsoring agency shall endeavor not to displace established parking.
 - b. On-site parking: The sponsoring agency shall select potential host sites with available on-site parking and access for vehicles associated with the encampment.
8. Children under the age of 18 shall not be permitted to stay overnight in the temporary emergency homeless encampment except under exigent circumstances. If a child under the age of 18, either alone or accompanied by a parent or guardian

attempts to stay overnight, the managing agency will immediately contact Child Protective Services and endeavor to find alternative shelter for the child and any accompanying parent(s) or guardian(s).

9. The managing agency shall keep a log of all people who stay overnight in the encampment, including names and dates. Logs shall be kept for a minimum of six months.
10. The managing agency shall take all reasonable and legal steps to obtain verifiable identification, such as a driver's license, government-issued identification card, military identification or passport from prospective and existing temporary emergency homeless encampment residents.
11. The managing agency shall use identification to obtain sex offender and warrant checks from the King County Sheriff's Office or relevant local police department. If said warrant and sex offender checks reveal either (a) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (b) the subject of the check is a sex offender, required to register with the County Sheriff of their county of residence pursuant to RCW 9A.44.130, then the managing agency will reject the subject of the check for residency to Tent City 4 or eject the subject of the check if that person is already a Tent City 4 resident.
12. The managing agency shall immediately contact the King County Sheriff's Office or relevant local city police if the reason for rejection or ejection of an individual from Tent City 4 is an active warrant or a match on the sex offender check, or if, in the opinion of the on-duty Executive Committee member or the on-duty security staff the rejected/ejected person is a potential threat to the community.
13. The managing agency shall permit access to the site at all times for the King County Sheriff's Office or relevant city police department. Camp leadership and security shall become familiar with duty officers and shall be free to discuss security issues and concerns with them.
14. The managing agency shall maintain and enforce a strict code of conduct, and shall have a system for ensuring that all prospective residents know and have signed this code prior to establishing residency in the encampment:
 - a. No alcohol.
 - b. No illegal drugs.
 - c. No weapons.
 - d. Knives over 3 ½ inches shall be turned into the managing agency for safekeeping.
 - e. No open flames.
 - f. No trespassing onto private property.
 - g. No loitering in the host neighborhood.
 - h. No disturbing neighbors.
 - i. No verbal abuse, intimidating remarks, yelling or degrading remarks against members of the sponsoring agency, or neighborhood.
 - j. No littering in the encampment or in the host neighborhood.

14. Health, safety, zoning, land use and environmental laws and regulations shall be adhered to.
15. No permanent structures shall be erected on the site of the temporary emergency homeless encampment.
16. The site shall be left in good condition upon completion of stay.
17. Permit inspections of the encampment may be conducted by the Fire District without prior notice. The managing agency shall implement all directives of the Fire District within 48 hours.
18. The managing agency will permit inspections of its encampments by Public Health-Seattle and King County without prior notice. The managing agency will implement all directives of Seattle-King County Department of Public Health (Public Health) within the time specified by Public Health. The managing agency will pay particular attention to assuring that Public Health guidelines on food donations, handling, and storage (including proper temperature control) are followed, and have a system for ensuring that encampment residents involved in food donations and storage are made aware of these guidelines. When Public Health asks to address encampment residents and leadership to communicate directives and recommendations, the managing agency will organize such an opportunity in the time period specified by Public Health.
19. Permit inspections of the encampment by county staff may be made at reasonable times without prior notice for assessing compliance with the terms of the permit.
20. A regular trash patrol in the immediate vicinity of the permit area shall be provided.
21. King County is not responsible for the actions, inactions or omissions of the managing agency, the sponsoring organization or of any resident of the emergency homeless encampment. All residents shall sign a statement at registration acknowledging the residents' willingness to comply with the Code of Conduct, and agreeing not to bring a claim or action against the county for injuries or occurrences happening within or around the emergency encampment, irrespective of fault or negligence.
22. If the managing agency fails to take action against a resident who violates the terms and conditions of this permit, it may result in immediate termination of use. If King County learns of uncontrolled violence or acts of undisciplined violence by residents of the encampment and the managing agency has not adequately addressed the situation, the permit may be immediately terminated.

C. County Policies for Community Notification

1. When proposing a site for an emergency, temporary homeless encampment, the managing agency shall abide by the community notification requirements of the

local jurisdiction responsible for land use permitting. In the case of a county land site in unincorporated King County, the community notification requirements of the county zoning code shall apply.

2. When proposing a site for a temporary emergency homeless encampment on county land outside unincorporated King County where a local jurisdiction does not have a community notification process, the managing agency in partnership with the sponsoring organization shall provide notification to the local community a minimum of 30 days prior to the start of the temporary emergency homeless encampment.
 - a. The managing agency in partnership with the sponsoring agency shall hand deliver or mail notification to all residences and businesses within 500 feet of the boundary of the proposed temporary emergency homeless encampment site.
 - b. The notification shall contain the following specific information:
 - 1) Name of sponsoring agency.
 - 2) Name of host.
 - 3) Date encampment will begin.
 - 4) Length of encampment.
 - 5) Maximum number of residents allowed.
 - 6) Planned site of the encampment.
 - 7) Date(s), time(s) and location(s) of community meeting(s) about the encampment.
 - 8) Contact information including names and phone numbers for both SHARE/WHEEL and the sponsoring agency.
 - 9) If the encampment is on county land or located in unincorporated King County, there shall also be a county contact person or agency identified in the notification.
 - c. There shall be at least one community notification meeting.
 - d. The community meeting shall be held on the site itself, or nearby. The purpose of the meeting(s) is to provide community members and immediate neighbors with information regarding the proposed duration and operation of the temporary emergency homeless encampment, conditions that will be placed on the operation of the temporary emergency homeless encampment, and to answer questions regarding the encampment.